

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ROBERT L. APPS and DEPARTMENT OF THE AIR FORCE,
AIR NATIONAL GUARD, Englewood, CO

*Docket No. 99-1921; Submitted on the Record;
Issued February 15, 2000*

DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,
BRADLEY T. KNOTT

The issue is whether the Office of Workers' Compensation Programs properly terminated appellant's compensation benefits effective June 20, 1998.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the March 19, 1999 decision of the Office hearing representative, finalized on March 22, 1999, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.¹

¹ The opinion of the referral physician, Dr. Stephen Dinenberg, an orthopedic surgeon, that appellant's degenerative arthritis was not work related is well rationalized and constituted the weight of the evidence. Although the opinion of appellant's treating physician, Dr. Paul A. Swenson, a Board-certified orthopedic surgeon, stated that appellant's arthritic knee condition was due, in part, to job related stresses, he did not provide sufficient medical rationale for his opinion; *see John Watkins*, 47 ECAB 597, 600 (1996); *Thomas L. Hogan*, 47 ECAB 323, 329 n.11 (1996).

The decisions of the Office of Workers' Compensation Programs dated March 19, 1999 and finalized on March 22, 1999 and June 3, 1998 are hereby affirmed.

Dated, Washington, D.C.
February 15, 2000

David S. Gerson
Member

Willie T.C. Thomas
Alternate Member

Bradley T. Knott
Alternate Member